



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2023-0099; Airspace Docket No. 22-ANE-12]

RIN 2120-AA66

Establishment of Class E Airspace; Ellsworth, Augusta, and Waterville, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine; Maine General Medical Center/Augusta Heliport, Augusta, Maine; and Maine General Medical Center-Waterville Heliport, Waterville, Maine as instrument approach procedures have been designed for each heliport.

DATES: Effective 0901 UTC, June 15, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at www.federalregister.gov.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, contact the Airspace Policy Group, Federal Aviation

Administration, 800 Independence Avenue, SW, Washington, DC, 20591; Telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: John Fornito,

Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-6364.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it establishes airspace in Ellsworth, Augusta, and Waterville, ME, to support instrument flight rules (IFR) operations in the area.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2023-0099 in the *Federal Register* (88 FR 11833, February 24, 2023) to establish Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine; Maine General Medical Center/Augusta Heliport, Augusta, Maine; and Maine General Medical Center-Waterville Heliport, Waterville, Maine, as instrument approach procedures have been designed for each heliport. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the ADDRESSES section of the document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing a 6-mile radius of Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine; Maine General Medical Center/Augusta Heliport, Augusta, Maine; and Maine General Medical Center-Waterville Heliport, Waterville, Maine as instrument approach procedures have been designed for each heliport. Controlled airspace is necessary for the safety and management of IFR operations in the area.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a.

This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71 -DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

ANE ME E5 Ellsworth, ME [Established]

Maine Coast Memorial Heliport, ME
(Lat 44°32'48"N, long. 68°25'03"W)
Point in Space Coordinates
(Lat 44°33'09"N; long. 68°25'17"W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine Coast Memorial Heliport.

ANE ME E5 Augusta, ME [Established]

Maine General Medical Center/Augusta Heliport, ME

(lat. 44°21'43"N., long. 69°46'47"W.)

Point in Space Coordinates

(Lat 44°21'44"N; long. 69°47'35"W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine General Medical Center/Augusta Heliport.

ANE ME E5 Waterville, ME [Established]

Maine General Medical Center-Waterville Heliport, ME

(Lat. 44°33'58"N, long. 69°38'52"W)

Point in Space Coordinates

(Lat 44°33'23"N; long. 69°38'30"W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine General Medical Center-Waterville Heliport.

Issued in College Park, Georgia, on April 12, 2023

**LISA E. BURROWS, Manager,
Airspace & Procedures Team North,
Eastern Service Center, Air Traffic Organization**

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